

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TIMOTHY L. ASHFORD, and TIMOTHY L.
ASHFORD, PC LLO;

Plaintiffs,

vs.

DOUGLAS COUNTY,

Defendant.

8:20-CV-36

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiffs' Motion in Support of Rule 59 and Rule 60 Motion for Leave to Alter or Amend and Recusal. [Filing 82](#). Plaintiffs ask the Court to reconsider its prior Memorandum and Order ([Filing 76](#)) denying Plaintiffs' motion seeking recusal and leave to amend. However, Plaintiffs present no new, relevant grounds¹ to support their request for relief from the Court's prior order. *See Fed. R. Civ. P. 60(b)* (describing the grounds for relief). Instead, the present motion recycles many of same arguments already raised by Plaintiffs and already rejected by the Court. *Compare* [Filing 82](#) (present motion), *with* [Filing 28](#) (prior brief in support of motion to stay); [Filing 36](#) (prior brief in support of motion to certify for interlocutory appeal); [Filing 50](#) (brief in support of prior motion to amend); [Filing 55](#) (brief in support of prior recusal motion); [Filing 60](#) (prior brief in support of another motion to amend); [Filing 64](#) (same); [Filing 75](#) (same). For that reason, and for reasons outlined in previous orders of this Court, the pending motion is denied.

Furthermore, because Plaintiffs continue to file repetitive motions, the Court will require Plaintiffs to seek leave to file any subsequent motion pertaining to amendment or recusal. In order

¹ While Plaintiffs' motion contains new references to a public records request, *see* [Filing 82-1](#) at 1-3, and includes a letter relating to that request in Plaintiffs' index of supporting evidence, *see* [Filing 83-1](#) at 1, neither the references nor the supporting documentation are relevant to or change the Court's determination as to amendment or recusal.

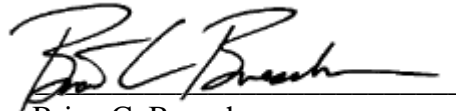
to obtain such leave, Plaintiffs must plausibly articulate to the Court that the Rule 60(b) standard is met. Accordingly,

IT IS ORDERED:

1. Plaintiffs' Motion in Support of Rule 59 and Rule 60 Motion for Leave to Alter or Amend and Recusal ([Filing 82](#)) is denied; and
2. Plaintiffs must seek leave to file any subsequent motion pertaining to amendment or recusal, and such leave will be granted only if Plaintiffs plausibly articulate that the Rule 60(b) standard is met.
3. This matter is referred to the Magistrate Judge for case progression.

Dated this 12th day of March, 2021.

BY THE COURT:


Brian C. Buescher
United States District Judge